

IN THE UNITED STATES DISTRICT COURT
FOR THE SOUTHERN DISTRICT OF OHIO
WESTERN DIVISION - CINCINNATI

MELODY F. HENRY,	:	Case No. 1:21-cv-31
	:	
Plaintiff,	:	Judge Matthew W. McFarland
	:	
v.	:	
	:	
SECURITY, DEPARTMENT OF	:	
TREASURY,	:	
	:	
Defendant.	:	

**ORDER OVERRULING OBJECTION (Doc. 5), ADOPTING REPORT AND
RECOMMENDATION (Doc. 3), DENYING MOTION TO PROCEED *IN FORMA
PAUPERIS* (Doc. 2), AND DENYING MOTION BY PRO SE LITIGANT TO OBTAIN
ELECTRONIC CASE FILING RIGHTS (Doc. 4)**

This case is before the Court upon the Report and Recommendation (the “Report”) (Doc. 3) entered by United States Magistrate Judge Karen L. Litkovitz. In the Report, Magistrate Judge Litkovitz recommends that the Court deny Plaintiff’s motion to proceed *in forma pauperis* pursuant to 28 U.S.C. § 1915(a)(1) (Doc. 2). Plaintiff filed an Objection (Doc. 5) to the Report, making this matter ripe for review.

As required by 28 U.S.C. § 636(b) and Federal Rule of Civil Procedure 72(b), the Court has made a de novo review of the record in this case. Upon said review, the Court finds that Plaintiff’s Objection is not well-taken. Specifically, based on the representations in the Objection, the Court is still unable to conclude that her income and assets are insufficient to provide herself with the necessities of life and still have sufficient funds to pay the full filing fee of \$402.00 in order to institute this action.

Accordingly, the Objection is **OVERRULED**. The Court **ADOPTS** the Report in its entirety and rules as follows:

1. Plaintiff's motion to proceed *in forma pauperis* is **DENIED**.
2. Plaintiff is **GRANTED** an **EXTENSION OF TIME** of thirty (30) days from the date of this Order to pay the required filing fee of \$402.00. Plaintiff is hereby notified that her complaint will not be deemed "filed" until the appropriate filing fee is paid, *see Truitt v. County of Wayne*, 148 F.3d 644, 648 (6th Cir. 1998), and that if she fails to pay the filing fee within thirty (30) days this matter will be closed.
3. Plaintiff's Motion by Pro Se Litigant to Obtain Electronic Case Filing Rights (Doc. 29) is **DENIED WITHOUT PREJUDICE** to renewal after Plaintiff has filed the required filing fee.

IT IS SO ORDERED.

UNITED STATES DISTRICT COURT
SOUTHERN DISTRICT OF OHIO

By: 
JUDGE MATTHEW W. McFARLAND